

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
MONDAY, JANUARY 14, 1991  
AT 2:00 P.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:05 p.m. Council Member McCarty welcomed a group of Cub Scouts, Webelows, Den 3 Pack 985 of Tierrasanta. Mayor O'Connor adjourned the meeting at 3:05 p.m. to meet in Closed Session on pending litigation at 9:15 a.m., Tuesday, January 15, 1991, in the twelfth floor conference room.

ATTENDANCE DURING THE MEETING:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-present  
(3) Council Member Hartley-present  
(4) Council Member Pratt-present  
(5) Council Member Bernhardt-present  
(6) Council Member Henderson-present  
(7) Council Member McCarty-present  
(8) Council Member Filner-present  
Clerk-Fishkin (eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

(M) Mayor O'Connor-present  
(1) Council Member Wolfsheimer-present  
(2) Council Member Roberts-not present  
(3) Council Member Hartley-not present

- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Joe Rhodes, New Hope Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Hartley.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

11/12/90 Adjourned  
11/13/90  
11/19/90  
11/20/90

FILE LOCATION: MINUTES)

COUNCIL ACTION: (Tape location: A137-160.)

MOTION BY BERNHARDT TO APPROVE. Second by Wolfsheimer.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-91-1106) ADOPTED AS RESOLUTION R-277190

Recognizing the unparalleled accomplishments of the  
Morse High School "Tigers" as CIF Football Champions

for 1990.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A085-136.)

MOTION BY PRATT TO ADOPT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-32: GRANTED HEARING

Matter of the request of Reynaldo Pisano, Chair, Southeast Development Committee, for a hearing of an appeal from the decision of the Planning Commission in approving Conditional Use / Southeast Development Permits CUP/SED-90-0116, proposing operation of Al-Basit Academy, a private school and day care facility. The subject property (approximately 1.1-acres in area) contains two detached single-family residences and is located at 1705 and 1715 Winnett Street, between Springfield and Tooley Streets, in Zone SF-10000 (single-family residential), in the Southeast San Diego Community Plan area. The site is more particularly described as Parcels A and B of Parcel Map PM-2263.

(CUP/SED-90-0116. District-4.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM (CUP/SED-90-0116

COUNCIL ACTION: (Tape location: A195-223.)

MOTION BY PRATT TO GRANT THE HEARING ON THE FINDING THAT THE APPEAL HAS CITYWIDE SIGNIFICANCE. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-33: GRANTED HEARING

Matter of the request of Richard J. Mitchell, for a hearing of an appeal from the decision of the Planning

Commission in approving Planned Infill Residential Development PIRD-89-0956, and Resource Protection Ordinance Permit RPZ-89-0956, proposing to construct three single-family homes. The subject property (approximately 25,000 square feet) is located east of the Trenton Avenue Alley between Ticonderoga and Bunker Hill Streets, in Zone R1-5000, in the Clairemont Mesa Community Plan area, and is more particularly described as Lots 29-36 of Block 5 of Map-983. (PIRD/RPOZ-89-0956. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: PERM PIRD/RPOZ-89-0956

COUNCIL ACTION: (Tape location: A233-246.)

MOTION BY BERNHARDT TO GRANT THE HEARING BASED ON THE APPEAL HAVING CITYWIDE SIGNIFICANCE. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-34: GRANTED HEARING

Matter of the request of the Southeast Development Committee for a hearing of an appeal from the decision of the Board of Zoning Appeals in approving a modified variance which partially approved the (1) construction of a 512 sq. ft. addition to a non-conforming single-family dwelling on a lot improved with two dwelling units where one dwelling unit is currently permitted; (2) provision of no street trees within the public right-of-way where two street trees are required; and (3) maintenance of approximately 215 linear feet of both 6'-0" solid fencing and 11'-11" high combination retaining wall and solid fencing in the required front yard, the visibility area adjacent to the driveway, the required side yards, the required rear yard and behind all required yards where a 3'-0" high solid wall or fence with a 3'-0" high open fence on top is permitted in the required front yard, a 3'-0" high wall or fence is permitted in the visibility area, a 6'-0" high solid wall or fence with a 3'-0" high open fence on top is permitted in the required side and rear yards and a 10'-0" high solid or open wall or fence is permitted behind all required yards. The subject

property is located at 6784 Akins Avenue and is more particularly described as Lot 43, Los Terrenitos, Map-1164 in Zone SF-6000 in the Southeast San Diego Planned District area.  
(Case C-20626. District-4.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION:           ZONE Zoning Appeals Case C-20626

COUNCIL ACTION:       (Tape location: A260-270.)

MOTION BY PRATT TO GRANT THE HEARING ON THE FINDING THAT THE APPEAL HAS CITYWIDE SIGNIFICANCE. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-100:

Two actions relative to the Romero Drive Extension Cost Reimbursement District No. 4059:  
(La Jolla Community Area. District-1.)

Subitem-A:       (R-91-991)       ADOPTED AS RESOLUTION R-277191

Authorizing the execution of a District Formation Cost Agreement with Frederick C. Liebhardt; authorizing the City Auditor and Comptroller to accept a cash advance of \$9,000 from Frederick C. Liebhardt.

Subitem-B:       (R-91-992)       ADOPTED AS RESOLUTION R-277192

Authorizing the execution of a consultant agreement with Jaykim Engineers, as Assessment Engineer.

CITY MANAGER SUPPORTING INFORMATION:    On July 16, 1990, City Council authorized the initiation for the formation of the Romero Drive Extension Cost Reimbursement District with Frederick C. Liebhardt. The improvements for which the developer is seeking reimbursement include curb, gutter, paving, water, sewer and storm drain facilities, dry utilities and right-of-way acquisition, etc. as indicated on improvement drawing 25374-D. This action will enable City staff to obtain consulting services from Jaykim Engineering, Inc. for the purposes of spreading the improvement costs to the benefitting parcels and for conducting a financial audit when construction has been completed.

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Aud. Cert. 9100478.

FILE LOCATION:           STRT-CR-17       CCONTFY91-1   CONTFY91-1

COUNCIL ACTION:       (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT.   Second by Hartley.  
Passed by the following vote:   Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-101:       (R-91-977)           ADOPTED AS RESOLUTION R-277193

Authorizing the execution of an amended agreement with  
American Family Life Assurance Company to extend the  
agreement for a one-year period beginning July 1, 1990  
through June 30, 1991.

CITY MANAGER SUPPORTING INFORMATION:   Cancer expense and  
hospital intensive care protection insurance plans have been  
offered as part of the Flexible and Management Benefits Plans  
since FY 1988. These insurance policies provide payments to an  
ill employee or on behalf of ill family members for cancer,  
selected other dread diseases and intensive care hospitalization  
based upon type of treatment being received and level of coverage  
selected. Each feature mentioned above could be selected  
differentially and independently of one another for a total of  
ten separate choices. This provision made administration of the  
plans burdensome due to the number of options offered and the  
minimal participation in several of the options. Effective July  
1, 1990, the options available through the Flexible and  
Management Benefits plans are reduced and are as follows: Basic  
Cancer Expenses Insurance; Basic Cancer

Expense Insurance with Hospital and Dread Disease Riders; and  
Hospital Intensive Care Insurance for either individual or family  
coverage. The Hospital Intensive Care Insurance Plan offered  
since its inception in the Flexible and Management Benefits Plans  
is no longer available. Effective July 1, 1990 the new Hospital  
Intensive Care Insurance plan will replace the original plan.  
The changes from the original plan are: the daily benefit amount  
is restructured; a maximum number of days per confinement is  
implemented; and the amount of benefits being based on length of  
participation in the plan is eliminated.

FILE LOCATION:           MEET           CONTFY91-1

COUNCIL ACTION:       (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-102: (R-91-1054) ADOPTED AS RESOLUTION R-277194

Authorizing the execution of an agreement with Boyle Engineering Corporation to provide construction documents for the design and construction of street improvements on San Ysidro Boulevard - I-805 to Border Village Road; authorizing the expenditure of an amount not to exceed \$391,766 from ½ percent Transportation Sales Tax (TransNet) Fund 30300, CIP-52-166.1, "San Ysidro Boulevard - Smythe Avenue to Border Village Road," for the purpose of providing funds for the above project; accepting the amount of \$19,058 from the Mondana Corporation for construction and engineering costs for the improvement adjacent to 643 E. San Ysidro Boulevard to be placed in CIP-52-166.1, "San Ysidro Boulevard - Smythe Avenue to Border Village Road." (San Ysidro Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: On June 7, 1989, the Council approved the selection of Boyle Engineering in accordance with Council Policy 300-7 as the consultant for Improvement of San Ysidro Boulevard, I-805 to Border Village Road. The initial consultant agreement for this project produced a feasibility study which resulted in the selection of the alternate to construct a two-way, two lane couplet of San Ysidro Boulevard and Border Village Road. This second consultant agreement will provide final plans, specifications, and estimates necessary to construct the selected alternate for the project. This project includes two traffic signals, pavement, street lighting, curbs, sidewalks facilities, right-of-way acquisition and utility undergrounding. A separate issue of this project involved a private ownership at 643 East San Ysidro Boulevard. As a condition of issuance of a building permit for the development of this property, the developer was required to submit a check for \$19,058.00 which represents that developer's estimated share of improvements of San Ysidro Boulevard that abuts their frontage. Since the final design is not complete at this time, the developer has deposited this money with the City in lieu of constructing the required improvement.

Aud. Cert. 9100466.

FILE LOCATION: MEET CCONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-103: (R-91-978) ADOPTED AS RESOLUTION R-277195

Authorizing the execution of an amended Group Health  
Insurance Agreement with Health Net, to increase the  
physician services copayment from \$3.00 to \$5.00 per  
office visit, for a one-year period beginning August 1,  
1990 through July 31, 1991, and to authorize a premium  
rate increase as follows:

MONTHLY PREMIUMS	PER MONTH	
	FROM	TO
Employee only (City Paid)	\$116.26	\$117.98
One Dependent (Employee Paid)	\$115.04	\$128.94
Two or More Dependents (Employee Paid)	\$229.30	\$237.39

CITY MANAGER SUPPORTING INFORMATION: The Health Net Health  
Plan was first offered to all City employees in FY 1990,  
effective August 1, 1989, after a market survey was conducted to  
find a suitable replacement for the PruCare Health Plan. Health  
Net was selected based upon the level of coverage provided;  
number and location of providers within their network; and  
pricing. The premium rates for the contract year of August 1,  
1990 through July 31, 1991 for City paid and Employee paid are as  
follows:

	FROM	TO
Employee Only	\$116.26 (City Paid)	\$117.98 (City Paid)
Employee plus One Dependent	\$231.30 (\$116.26 City Pd) (\$115.04 Employee Pd)	\$246.92 (\$117.98 City Pd) (\$128.94 Employee Pd)
Employee plus Two or More Dependents	\$345.56 (\$116.26 City Pd) (\$229.30 Employee Pd)	\$355.37 (\$117.98 City Pd) (\$237.39 Employee Pd)

The premium rate increases are relatively small, due in part to  
the implementation of the \$5 office visit copayment. The rate  
increase from FY 1990 is as follows:

Employee Only	1.4 percent
Employee plus One Dependent	6.7 percent
Employee plus Two or More Dependents	2.8 percent



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FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-104: (R-91-974) ADOPTED AS RESOLUTION R-277196

Authorizing the execution of an amendment to the Group  
Health Insurance Agreement with Kaiser Foundation  
Health Plan, Inc. to extend the agreement for a  
one-year period beginning August 1, 1990 through July  
31, 1991, as follows:

Monthly Premiums	Per Month	
	From	To
Employee Only (City Paid)	\$101.00	\$116.26
One Dependent (Employee Paid)	\$100.98	\$115.04
Two or More Dependents (Employee Paid)	\$200.76	\$229.30

CITY MANAGER SUPPORTING INFORMATION: The Kaiser Health Plan  
with prescription coverage was offered to all City employees in  
FY 1990 except those represented by Local 145 and retirees. The  
retirees' plan was amended April 1, 1990 to include prescription  
coverage. Effective August 1, 1990 Local 145 represented  
employees will have prescription coverage also, thereby  
eliminating the Kaiser Health Plan without prescription coverage.  
The premium rates for the contract year of August 1, 1990 through  
July 31, 1991 for City paid and employee paid are as follows:

	FROM	TO
Employee only	\$101.00 (City Paid)	\$116.26 (City Paid)
Employee plus	\$201.98	\$231.30
One Dependent	(\$101.00 City Pd)	(\$116.26 City Pd)
	(\$100.98 Emp. Pd)	(\$115.04 Emp. Pd)
Employee Plus	\$301.76	\$345.56
Two or More	(\$101.00 City Pd)	(116.26 City Pd)
Dependents	(\$200.76 Emp. Pd)	(\$229.30 Emp. pd)

These rates represent an overall premium increase of 15 percent  
from FY 1990.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-105: (R-91-976) ADOPTED AS RESOLUTION R-277197

Authorizing the execution of an Amended Vision  
Insurance Agreement with Safeguard Health Plans, Inc.,  
to extend the agreement for a two-year period beginning  
August 1, 1990 through July 31, 1992, and to authorize  
a premium rate increase as follows:

	Monthly Premiums	
	FROM	TO
Employee Only	\$ 4.20	\$ 4.60
Employee and One Dependent	\$ 7.80	\$ 8.62
Employee and Two or More Dependents	\$11.92	\$13.24

CITY MANAGER SUPPORTING INFORMATION: Vision insurance coverage  
has been a benefit option since the inception of the Flexible  
Benefits and Management Benefits Plans. Safeguard Health Plans,  
Inc. was awarded the contract in 1984 (on file with the City  
Clerk as document RR-271690) based on the following factors:  
financial stability; number and location of providers; level of  
coverage; and administrative needs. A request for proposals was  
issued in 1988 to survey the prepaid vision insurance market.  
Based on the results of this survey Safeguard Health Plans, Inc.,  
was again awarded the contract for a two year period ending July  
31, 1990. A new two year agreement commencing August 1, 1990  
through July 31, 1992 has been entered into with Safeguard Health  
Plans, Inc. based upon the factors cited above as well as  
continuity of care. There will not be any changes to the  
benefits or services. The rates will increase 9 percent over  
last year and are as follows:

	Monthly Premiums	
	FROM	TO
Employee Only	\$ 4.20	\$ 4.60
Employee and One Dependent	\$ 7.80	\$ 8.62
Employee and Two or More Dependents	\$11.92	\$13.24

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-106: (R-91-1000) ADOPTED AS RESOLUTION R-277198

Authorizing the execution of an Amended Dental Insurance Agreement with Safeguard Health Plans, Inc, to extend the agreement for a two-year period beginning August 1, 1990 through July 31, 1992, and to authorize a premium rate increase as follows:

	Monthly Premiums	
	FROM	TO
Employee Only	\$10.00	\$10.56
Employee and One Dependent	\$16.66	\$18.56
Employee and Two or More Dependents	\$22.92	\$24.36

CITY MANAGER SUPPORTING INFORMATION: Dental insurance coverage has been a benefit option since the inception of the Flexible Benefits and Management Benefits Plans. Safeguard Health Plans, Inc., was awarded the contract in 1984 (on file with the City Clerk as document RR-271680) based on the following factors: financial stability; number and location of dental providers; level of coverage; and administrative needs. A market analysis was conducted in March 1990 by A. Foster Higgins to survey the prepaid dental insurance plans available. Four quotations plus Safeguard Health Plans, Inc. were evaluated based upon three criteria; benefits package, pricing, and provider network. Based on the results of this survey Safeguard Health Plans, Inc. was again awarded the contract for a two year period commencing August 1, 1990 through July 31, 1992. There will not be any changes to the benefits or services. The rates will increase 9 percent over last year and are as follows:

	Monthly Premiums	
	FROM	TO
Employee Only	\$10.00	\$10.56
Employee and One Dependent	\$16.66	\$18.56
Employee and Two or More Dependents	\$22.92	\$24.36

Aud. Cert. 9100464.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-107: (R-91-975) ADOPTED AS RESOLUTION R-277199

Authorizing the execution of an amended Group Dental Agreement with Standard Insurance Company to extend the agreement for a one-year period beginning August 1, 1990 through July 31, 1991, and to authorize a premium rate increase as follows:

MONTHLY PREMIUMS	PER MONTH	
	FROM	TO
Employee Only	\$19.16	\$20.32
Employee & Spouse	\$36.08	\$38.24
Employee & Children	\$42.90	\$45.48
Employee, Spouse & Children	\$52.00	\$55.12

CITY MANAGER SUPPORTING INFORMATION: The City offered the Standard Insurance Company indemnity dental insurance plan (on file with the City Clerk as document RR-266300) as part of its Flexible and Management Benefit Plans for the first time in FY 1987. This plan provides for employees to choose their own dentist; however, if the employee chooses a preferred provider organization (Community Dental Network) dentist, service costs are at a significant discount, and the Plan pays a higher percentage of the dental service costs. There will not be any changes to the benefits or services. The rates will increase 6 percent over last year. The increase is based on claims experienced during the previous year which has leveled off and is much more favorable than the last renewal period. This increase is fifty percent of the current trend. The premium rates are as follows:

	MONTHLY PREMIUMS	
	FROM	TO
Employee Only	\$19.16	\$20.32
Employee & Spouse	\$36.08	\$38.24
Employee & Children	\$42.90	\$45.48
Employee, Spouse & Children	\$52.00	\$55.12

FILE LOCATION: MEET CONTFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-108: (R-91-1005) ADOPTED AS RESOLUTION R-277200

Authorizing the execution of an agreement with the San

Diego Community Foundation for establishing the Florence Riford/La Jolla Library Book Endowment Fund, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this project and agreement; authorizing the expenditure of an amount not to exceed \$25,000 from Trust Fund 67023, plus the earned interest from Trust Fund 67022, for the purpose of providing funds for the above project.  
(La Jolla Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On May 8, 1988, Florence Riford signed an agreement pledging \$225,000 to assist the City of San Diego in the purchase of land adjacent to the Florence Riford/La Jolla Library. The pledge was accepted by Resolution R-271427 on July 20, 1988, and Trust Fund 67022 was established to receive the gift. Mrs. Riford overpaid her pledge by \$25,000. These funds were placed in Trust Fund 67023. In a letter dated May 18, 1990, she requested that the excess funds be sent to the San Diego Community Foundation to establish the Florence Riford/La Jolla Library Book Endowment Fund.

Aud. Cert. 9100426.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-109: (R-91-962) ADOPTED AS RESOLUTION R-277201

Authorizing the execution of a twelfth amendment to the agreement with San Diego Foundation for Medical Care to provide preferred provider and utilization review services for the CITYMED Health Plan for a one-year period beginning August 1, 1990 through July 31, 1991, together with any reasonably necessary modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of this agreement.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Foundation for Medical Care and City of San Diego have had a professional

relationship in conjunction with the CITYMED Health Plan since 1975. The scope of their responsibilities were drastically reduced last year with the claims administration duties being awarded to another Third Party Administrator. The Foundation was retained to provide continuity of care by continuing to contract with Preferred Provider Organization (PPO) hospitals and doctors and to perform the related utilization review pertaining to these services. The Foundation's proposed rate for these services is reduced from \$3.50 to \$2.75 per member per month for the coming agreement year. This reduction resulted from administrative changes recently undergone by the Foundation and reflects their current organizational and financial soundness. Based on this and the Foundation's reevaluation of their current rate structure, the City administrative fees have decreased 22 percent.

FILE LOCATION: MEET CONFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-110: (R-91-1104) ADOPTED AS RESOLUTION R-277202

Authorizing the execution of two agreements with I Love A Clean San Diego County, Inc. to conduct various programs to promote recycling and waste reduction throughout the City, and to conduct public education, information and recycling programs in support of the City's waste reduction recycling efforts, together with any modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary to carry out the purposes and intent of these programs and agreements; authorizing the expenditure of a sum not to exceed \$224,000 from Fund No. 41200, Object Account 4151, to fund these programs, as follows: \$84,000 to promote recycling and waste reduction, and \$140,000 in support of waste reduction recycling efforts.

CITY MANAGER SUPPORTING INFORMATION: Council action is requested to execute two expiring agreements with I Love A Clean San Diego County, Inc. (ILACSDC Inc.) to provide recycling, public education and waste reduction support programs to the City. The actions will allow ILACSDC, Inc. to continue their

current City funded programs through November 30, 1991. The agreements are designed to assist the City in reaching mandated recycling and source reduction goals. The agreements are:

1. For I Love A Clean San Diego County, Inc. to provide programs promoting year-round environmental awareness, recycling and waste reduction throughout the City.
2. For I Love A Clean San Diego County, Inc. to conduct public education, information and recycling programs in support of the City's waste reduction and recycling efforts.

Aud. Cert. 9100504.

FILE LOCATION: MEET CONFY91-2

COUNCIL ACTION: (Tape location: A549-589.)

MOTION BY McCARTY TO ADOPT AND DIRECT THE CITY MANAGER TO REPORT TO PSS ON THE RESULTS OF THE PROGRAM AND A REVIEW OF THE COMMERCIAL PART OF THE PROPOSED PROGRAM TO BE DONE BY THE CITY, COMPARED TO THE PROGRAM BY I LOVE A CLEAN SAN DIEGO COUNTY, INC. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

\* ITEM-111: (R-91-1111) ADOPTED AS RESOLUTION R-277203

Amending Resolution No. R-277010, dated December 10, 1990, by appointing Councilmember Abbe Wolfsheimer as Council representative to the Beach Erosion Task Force, to replace Councilmember Bruce Henderson.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200:

Two actions relative to Public Safety Communications

Project General Obligation Bond Issuance:  
(See City Manager Report CMR-91-07.)

Subitem-A: (O-91-110) INTRODUCED, TO BE ADOPTED  
JANUARY 28, 1991

Introduction of an Ordinance providing for the issuance and sale of General Obligation Bonds of the City of San Diego in the principal amount of \$25,500,000 for the construction of police and fire and other public safety communications centers and equipment for such centers, and acquisition of a Police Department and Fire Department and other public safety facilities computer-aided dispatch systems, and related facilities; and for the payment of all costs and expenses in connection with such construction and acquisition and the issuance of such bonds.

Subitem-B: (R-91-1056) ADOPTED AS RESOLUTION R-277204

Adoption of a Resolution approving the Preliminary Official Statement in connection with the issuance of City of San Diego 1991 General Obligation Bonds (Public Safety Communications Project).

FILE LOCATION: Subitem-A --, Subitem-B MEET

COUNCIL ACTION: (Tape location: B120-126.)

MOTION BY ROBERTS TO INTRODUCE SUBITEM-A AND ADOPT SUBITEM-B. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201:

(Continued from the meeting of December 10, 1990, Item 111, at the City Manager's request, to allow time to complete the paperwork.)

Two actions relative to Scripps Eastview Unit No. 1:

(Scripps Miramar Ranch Community Area. District-6.)

Subitem-A: (R-91-827 Cor. Copy) ADOPTED AS RESOLUTION  
R-277205



Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Scripps Eastview Unit 1 to provide for the substitution of Donald L. Bren Company for ITEC Properties, as subdivider; declaring that the public improvements to be constructed shall be completed by December 10, 1991; accepting Performance Bond Nos. 111325 84 175 and 111325 84 167, issued by the American Insurance Company, in the amounts of \$509,500 and \$2,941,222, respectively, as the sureties for the required improvements in the subdivision and releasing Bond Nos. 112 70 06 and 112 70 05, issued by Insurance Company of the West, in the amounts of \$509,500 and \$2,941,222, respectively.

Subitem-B: (R-91-828) ADOPTED AS RESOLUTION R-277206

Authorizing the amendment to the agreement for the construction of street improvements to provide for the substitution of Donald L. Bren Company for ITEC Properties, as subdivider.

CITY MANAGER SUPPORTING INFORMATION: On October 31, 1988, the City entered into two agreements with ITEC Properties, a California general partnership. The first was for the construction of public improvements for Scripps Eastview Unit 1 including public improvements to Pomerado Road. The second was for reimbursement of costs from FBA for Pomerado Road, Spring Canyon Road and median islands. The Subdivision Improvement Agreement expired on October 31, 1990. The property is now owned by Donald L. Bren Company, a California corporation. The new owner has signed an amended agreement to assume all of the rights and obligations of the original subdivider and complete the required work. The amended Subdivision Improvement Agreement also provides for an extension of time to complete the work to December 10, 1991. The new subdivider has provided performance bonds for the same amounts as the original bonds in the amounts of \$509,500 and \$2,941,222. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD-Scripps Eastview Unit No. 1  
CONTFY91-2

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202: (R-91-694) ADOPTED AS RESOLUTION R-277207

(Continued from the meeting of November 13, 1990, Item 111, at John Cheney's request, to allow staff to review noise provisions in the lease to ensure they are adequate to address impacts to the community from the Kearny Moto Park.)

Authorizing the execution of a five-year lease agreement with Kearny Moto Park for the development, operation and maintenance of BMX bicycle facility at the Kearny Mesa Park and Recreation Center, at an initial rent of \$100 per month.

(Linda Vista Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: In 1988, the Park and Recreation Department transferred to the Property Department for administration, a Right-of-Entry Permit with Kearny Moto Cross for a portion of land located at 3170 Armstrong Street, adjacent to the Kearny Mesa Recreation Center. The permit allowed the development, operation and maintenance of a BMX bicycle moto cross park. Historically, the property has been utilized for bicycle racing since the mid-70's. The permit has expired and the operation is currently on a month-to-month agreement. Pursuant to a request by the Park and Recreation Department, the City Manager is proposing a five-year lease agreement with a starting rent of \$100 per month and a Consumer Price Index Rental adjustment in 2-1/2 years. Due to the inherent risk involved with this activity, Risk Management has carefully reviewed the Moto Cross's \$1 million liability insurance policy and found it to be acceptable. Kearny Moto Cross will operate and maintain the BMX park at no expense to the City.

FILE LOCATION: LEAS-Kearny Moto Part LEASFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-1115) ADOPTED AS RESOLUTION R-277208

Council confirmation of the appointment by the Mayor of Peter H. Flourney to serve as a member of the International Affairs Board, for a term ending March 1, 1992, to replace Robert A. Churley, who has resigned. (See memorandum from Mayor O'Connor dated 1/3/91 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-91-1116) ADOPTED AS RESOLUTION R-277209

Council confirmation of the appointment by the Mayor of Janet H. Smith to serve as a member of the Small Business Advisory Board for a term ending July 1, 1992, to replace Maxine Coney, who has resigned. (See memorandum from Mayor O'Connor dated 1/2/91 with resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: PROCLAIMED

Proclaiming January 14 through January 20, 1991 to be "National Council of Jewish Women Week" in San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A164-190.)

MOTION BY WOLFSHEIMER TO PROCLAIM. Second by Bernhardt.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,  
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401:

(Continued from the meeting of January 9, 1991, Item  
146, at Assistant City Manager, Jack McGrory's request,  
to prepare documents in ordinance form.)

Two actions relative to a lease agreement with Pacific  
Bell: (Rancho Penasquitos Community Area. District-1.)

Subitem-A: (O-91-109) INTRODUCED, TO BE ADOPTED  
JANUARY 28, 1991

Introduction of an Ordinance authorizing the execution  
of a 20-year lease agreement, with one 10-year renewal  
option, with Pacific Bell, for approximately 1,704  
square feet of land on Black Mountain, at a rental rate  
of \$6,000 per year; authorizing the expenditure of an  
amount not to exceed \$2,500 from CIP-33-3950 for lease  
costs from February 1, 1991, to June 30, 1991.

Subitem-B: (R-91-1041) ADOPTED AS RESOLUTION R-277210

Certifying that the information contained in  
Environmental Negative Declaration END-90-0850, dated  
October 16, 1990, in connection with Pacific Bell's  
lease of land on Black Mountain, has been completed in  
compliance with the California Environmental Quality  
Act of 1970 as amended, and State guidelines, and that  
said Declaration has been reviewed and considered by  
the Council; approving findings, based upon the Initial  
Study and any comments received, that there is no  
substantial evidence that the project will have a  
significant effect on the environment.

CITY MANAGER SUPPORTING INFORMATION: On June 5, 1990, voters  
approved a \$25,500,000 General Obligation Bond Issuance  
(Proposition E) to secure funding to replace the City's outdated  
Public Safety Communications System. The Public Safety  
Communications Centers, new Police and Fire/EMS Computer Aided  
Dispatch (CAD) systems project consists of several major  
elements, including new Police and Fire Communications centers,  
Mobile Data Terminals (MDT's) for field units, and 800 megahertz  
(MHz) radio systems. It is proposed to enter into a lease

agreement with Pacific Bell, the property owner, for approx. 1,704 sq. ft. of land on Black Mountain. The lease will allow the City to construct up to two 288 sq. ft. radio equipment shelters, (pre-engineered buildings), for the installation of 800 MHz radio equipment. The lease term will be twenty years with an option to extend for an additional ten year period, at a rental rate of \$500 per month (\$.29, rounded, per sq. ft.), and subject to a 5% annual rent increase. This represents a very reasonable rate for this site.

Aud. Cert. 9100465.

FILE LOCATION: Subitem-A --, Subitem-B LEAS-Pacific Bell  
LEASFY91-1

COUNCIL ACTION: (Tape location: A273-286.)

CONSENT MOTION BY ROBERTS TO ADOPT. Second by Hartley.  
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,  
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-91-1052 Rev.1) ADOPTED AS AMENDED AS  
RESOLUTION R-277211

(Continued from the meeting of January 9, 1991, Item  
205, at Councilmember Roberts' request, for further  
review.)

Authorizing the City Manager to coordinate with the  
City's legislative liaison to the State Legislature,  
and through that liaison initiate the introduction of a  
legislative bill which will form a Special Act District  
that will have responsibility for area wastewater  
management.

CITY MANAGER SUPPORTING INFORMATION: After careful examination  
of all options, the City's Clean Water Program Governance  
Advisory Group (Advisory Group) unanimously recommended on  
September 21, 1990, to pursue a special act district as the  
future governance structure for the Metropolitan Sewage System.  
On October 15, 1990, the City Council of the San Diego adopted  
Resolution R-276715 adopting the Advisory Group's recommendation.  
Since that time the Advisory Group has concentrated its efforts  
on the formation of a legislative document outlining all the  
powers and responsibilities of the proposed Special Act District.  
At their December 7, 1990 meeting the Advisory Group unanimously  
approved the legislative document, and agreed that all agencies

should have their respective boards and councils review the document prior to their next meeting on January 18, 1991. At this time the City Manager requests approval by the City Council of the City of San Diego to place the legislative document into the State Legislative process for approval.

WU-CWP-91-091.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A590-B120.)

MOTION BY McCARTY TO ADOPT AS AMENDED TO INCLUDE A POLICY STATEMENT IN THE ENABLING LEGISLATION THAT EQUAL OPPORTUNITY WILL BE PURSUED. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S403:

(Continued from the meeting of January 9, 1991, Item 201, at Mayor O'Connor's request, to allow City Manager, John Lockwood, to be present.)

Discussion in the matter of establishing a procedure to select the next City Manager.

Subitem-A: (R-91-1270) ADOPTED AS RESOLUTION R-277212

In-house selection.

Subitem-B: FILED

National search.

FILE LOCATION: Subitems A and B MEET

COUNCIL ACTION: (Tape location: A286-548.)

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM-A FOR SELECTION FROM STAFF AND FILE SUBITEM-B. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:            REFERRED TO CITY MANAGER

Carlos Alaniz, Victory Outreach Carnival, requesting  
assistance regarding Carnival Permits.

FILE LOCATION:        AGENDA

COUNCIL ACTION:       (Tape location: B131-140.)

ITEM-PC-2:

Don Stillwell commenting on the unanimity of Council on  
this date.

FILE LOCATION:        Agenda

COUNCIL ACTION:       (Tape location: B140-160.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 3:05  
p.m.

FILE LOCATION:        MEET

COUNCIL ACTION:       (Tape location: B163).